

U.S. Department of Labor

Wage and Hour Division
800 Monroe Avenue NW
Suite 315

Grand Rapids, MI 49503-1451
616-456-2004
616-456-2258



August 04, 2014

RETURN RECEIPT REQUESTED: 7013 2250 0001 6507 2386

FILE COPY

Great Lakes Harvester Corp.
Miguel R. Rosales Ruiz, FLC
3160 Cedar Lane
Sodus, MI 49126

Subject: Assessment of Civil Money Penalty for MSPA Violations
against Miguel R. Rosales Ruiz, FLC dba Great Lakes Harvester Corp. and Miguel R. Rosales Ruiz, an individual

Case File No.: 1706137

Dear Mr. Rosales Ruiz:

An investigation of your operation under the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) covering the period 08/19/2013 to 09/06/2013 disclosed that you failed to comply with the Act. As a result of these violations and pursuant to Section 503(a) of the Act and 29 CFR Part 500, a civil money penalty is hereby assessed. The specific violation(s) and the amount assessed for the violation(s) is set forth on the attached.

The total civil money penalty assessed is \$7,300.00.

The amount is due and payable within 30 days to "Wage and Hour Division, U.S. Department of Labor". Payment by certified check or money order should be mailed to Midwest Regional Office, U.S. Dept. of Labor, W&H Division, P.O. Box 2638, Chicago, IL 60690-2638. The fact that a penalty is being assessed for the MSPA violations found at this time does not preclude the taking of other enforcement action as is deemed appropriate by the Department of Labor, or the additional assessment of a penalty for violations of the MSPA provisions found at some future time.

This debt is subject to the assessment of interest, administrative cost charges and penalties in accordance with the Debt Collection Act of 1995 and departmental policies. Interest will be assessed at the Treasury Tax and loan account rate on any principle that becomes delinquent. This rate is currently 1 %. Administrative cost charges will be assessed to help defray the Government's cost of collecting this debt. A penalty at the rate of 6 % will be assessed on any portion of the debt remaining delinquent for more than 90 days. In order to avoid these charges, forward payment to the Regional Office listed above by the indicated due date.

You have the right to request a hearing on the determination that any or all of the violations occurred. Such request must be in writing; must contain specific reasons why you believe that the violations for which you have been charged did not occur; and must be filed within 30 days from the date of this letter with the Administrator, Wage and Hour Division, U.S. Department of Labor, in care of the originator of this letter at the address listed in the letterhead above.

Procedure for filing a request for a hearing is provided in 29 CFR 500.212. **If a request for a hearing is not received within the time specified, the determination of the Administrator shall become the final and non-appealable Order of the Secretary.**


We would like to call to your attention that when a request for a hearing is filed with the Wage and Hour Administrator, the matter is referred to the Chief Administrative Law Judge. A formal hearing is then scheduled for a final determination with respect to the alleged violation(s). At such hearing you may, by yourself or through an attorney retained by you, present such witnesses, introduce such evidence and establish such facts as you believe will support your position.

Copies of the Migrant and Seasonal Agricultural Worker Protection Act and 29 CFR Part 500 are enclosed for your reference and assistance, along with a copy of the notice of Pending Application for a Farm Labor Contractor Certificate of Registration and an updated WH-56 Summary of Unpaid Wages.

Further, we wish to point out that there may be a question as to the deductibility of civil money penalties paid as a business expense under the Internal Revenue Code. In this regard, you may wish to contact the Internal Revenue Service.

If you need additional information, please contact me.

Sincerely,


Mary K. O'Rourke
District Director
Grand Rapids District Office

Enclosure: 29 CFR Part 500
Migrant and Seasonal Agricultural Worker Protection Act (MSPA)
Notice of Pending Application for a Farm Labor Contractor Certificate of Registration
WH-56 Summary of Unpaid Wages

U.S. Department of Labor
Wage and Hour Division

Case ID: 1706137
ACT: MSPA
EIN: 26-4367513

Trade Name: Great Lakes Harvester Corp.
ER Address: 3160 Cedar Lane
Sodus, MI 49126

Amount Due: \$7,300.00

THIS SHEET MUST BE INCLUDED WITH PAYMENT

YOU MUST WRITE YOUR TAX ID ON YOUR CHECK

MAIL TO:

Midwest Regional Office
U.S. Dept. of Labor, W&H Division
P.O. Box 2638
Chicago, IL 60690-2638

AMOUNT PAID: \$ _____

-- Regional Office Copy --

List of Violations and Amounts Assessed

1. 01 Fail to disclose conditions to workers	\$1000
2. 02 Fail to post MSPA poster at worksite	\$0
3. 05 Fail to make/keep employer records	\$0
4. 06 Fail to provide wage statement to workers	\$5000
5. 07 Fail to provide records	\$100
6. 09 Fail to pay wages when due	\$200
7. 09 Fail to pay wages when due	\$200
8. 09 Fail to pay wages when due	\$200
9. 09 Fail to pay wages when due	\$200
10. 09 Fail to pay wages when due	\$200
11. 09 Fail to pay wages when due	\$200
12. 20 Fail to register employee	\$0

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YOU MUST RETURN THIS SHEET TO THE ASSESSING OFFICE

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MAIL TO:

Grand Rapids MI District Office
800 Monroe Avenue NW
Suite 315
Grand Rapids, MI 49503-1451

AMOUNT PAID: \$ _____

DATE OF PMT: _____

CHECK NO. _____

SIGNATURE: _____

-- District Office Copy --